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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,702	05/19/2005	Shuichi Ichikawa	123973	7563
25944	7590	09/06/2007		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER HAILEY, PATRICIA L	
			ART UNIT 1755	PAPER NUMBER
			MAIL DATE 09/06/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/535,702

Applicant(s)

ICHIKAWA ET AL.

Examiner

Patricia L. Hailey

Art Unit

1755

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on May 19, 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 1755

Applicants' remarks and amendments, filed on June 20, 2007, have been carefully considered. No claims have been canceled; new claim 25 has been added.

Claims 13-25 are now pending in this application.

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Applicants' Priority Document was filed on May 19, 2005.

### ***Withdrawn Rejections***

The 102(e) rejection of claims 13-19, 21, and 22 as being anticipated by Deeba et al. (U. S. Patent No. 6,764,665) stated in the previous Office Action, has been withdrawn in view of Applicants' persuasive arguments traversing this rejection.

The 103(a) rejections of claims 13 and 20 as being unpatentable over Deeba et al. (U. S. Patent No. 6,764,665) in view of Matsuura et al. (U. S. Patent No. 5,846,460), and of claims 13 and 23-25 as being unpatentable over Deeba et al. (U. S. Patent No. 6,764,665) in view of Dang et al. (U. S. Patent No. 6,613,299), both stated in the previous Office Action, have been withdrawn in view of Applicants' persuasive arguments traversing this rejection.

***New Grounds of Rejection***

The following New Grounds of Rejection are being made in view of Applicants' amendments, and in view of the newly discovered reference to Taoka et al. (U. S. Patent Application Publication No. 2004/146596).

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

**3. *Claims 13-25 are rejected under 35 U.S.C. 102(e) as being unpatentable over Taoka et al. (U. S. Patent Application Publication No. 2004/146596).***

Taoka et al. disclose a ceramic filter comprising a plurality of filters each having a honeycomb structure to form an aggregate. Each of the filters is constructed with a ceramic sintered body made of silicon carbide or cordierite, and is sealed at alternating end faces to form a checkered pattern. See paragraphs [0058]-[0060] and Figures 2 and 3 of Taoka et al. (considered to read upon **claims 14, 15, and 22-25**).

The filters are adhered to each other through adhesion layers comprising silica fiber and silica sol. See paragraphs [0062] and [0063] of Taoka et al. (considered to read upon **claim 16**).

The ceramic filter has applied thereon a catalyst coat layer, which comprises a noble metal (e.g., platinum) as an active component, titania, zirconia (as a co-catalyst), a NO<sub>x</sub> occluding catalyst of an alkali metal and/or and alkaline earth metal. See paragraph [0101] of Taoka et al. (considered to read upon **claims 13, 17-19, and 21**).

Figure 5 of Taoka et al. depicts an embodiment wherein the catalyst coat layer is formed on a ceramic filter having both large and small pores. The filter has a porosity of 50-80%. See paragraphs [00139]-[0142] of Taoka et al. (considered to read upon **claim 20**).

In view of these teachings, Taoka et al. anticipate claims 13-25.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Hailey whose telephone number is (571) 272-

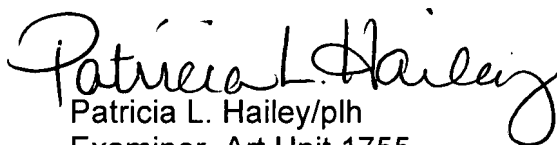
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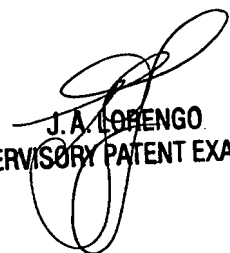
1369. The examiner can normally be reached on Mondays-Fridays, from 7:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo, can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 1700 Receptionist, whose telephone number is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Patricia L. Hailey/plh  
Examiner, Art Unit 1755  
August 24, 2007

  
J. A. LORENGO  
SUPERVISORY PATENT EXAMINER